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PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	LU	Examiner:	UNKNOWN
Serial No.:	10/032,516	Group Art Unit:	2874
Filed:	OCTOBER 26, 2001	Docket No.:	2316.690USRE
Title:	DOUBLE FERRULE SC CONNECTOR AND ADAPTER		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on July 15, 2002, 2002.

By:   
Name: Steven C. Scivess

**DECLARATION OF MICHAEL K. OUYANG**  
**IN SUPPORT OF REISSUE APPLICATION**

I, Michael K. Ouyang, declare as follows:

1. I am the Chief Intellectual Property Counsel for ADC Telecommunication, Inc., the assignee of this reissue application. I am empowered to act on behalf of ADC Telecommunications, Inc, as shown in the Certificate of Corporate Secretary enclosed as Exhibit A.

2. I believe that Liang-Ju Lu is the original and first inventor, of the invention described and claimed in U.S. Patent No. 5,971,625, granted on October 26, 1999, and described and claimed in the accompanying application for which the assignee solicits a reissue patent.

3. I have reviewed and understand the contents of the specification and claims of this application, including reissue claims 18-22 added by amendment filed with this declaration.

4. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. § 1.56. I certify that the assignee acknowledges the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. § 1.56.

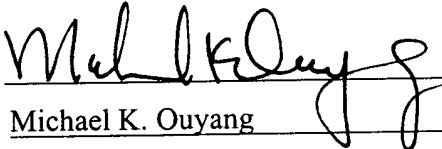
5. I believe the above-identified patent is partly inoperative by reason of claiming less than the Applicant had a right to claim in the patent. Such inoperativeness includes the failure to prosecute and obtain claims commensurate with the scope of new claims 18-22 added by this reissue application.

6. It was an error to fail to include in the above-identified patent, claims that are directed to an optical fiber connector assembly including an adapter having an adapter housing with two sleeves for receiving two ferrules of a connector and where the adapter housing includes an outer perimeter defining an SC footprint.

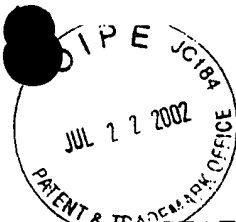
7. All of the errors being corrected in the reissue application up to the time of filing this declaration arose without any deceptive intention on the part of the Applicant or the assignee.

8. I do hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of the Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 11 July 2002

By:   
Name: Michael K. Ouyang  
Title: Chief Intellectual Property Counsel

S/N 10/032,516



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	LU	Examiner:	UNKNOWN
Serial No.:	10/032,516	Group Art Unit:	2874
Filed:	OCTOBER 26, 2001	Docket No.:	2316.690USRE
Title:	DOUBLE FERRULE SC CONNECTOR AND ADAPTER		

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By: Steven C. Brues  
Name: STEVEN C. BRUES

**STATEMENT OF MICHAEL K. OUYANG**  
**RE: PERTINENT FACTS**

I, Michael K. Ouyang, declare as follows:

1. I am the Chief Intellectual Property Counsel for ADC Telecommunication, Inc., the assignee of this reissue application. I am empowered to act on behalf of ADC Telecommunications, Inc, as shown in the Certificate of Corporate Secretary enclosed as Exhibit A.

2. I certify that an application for reissue of U.S. Patent 5,971,625, entitled "DOUBLE FERRULE SC CONNECTOR AND ADAPTER", granted to Liang-Ju Lu, was filed on October 26, 2001. The application was assigned serial number 10/032,516. Liang-Ju Lu is listed as the sole inventor of the reissue application 10/032,516.

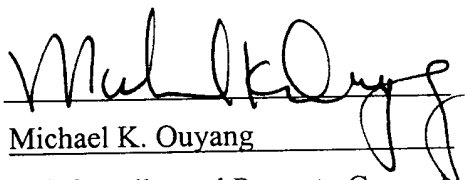
3. Per my direction, a Reissue Declaration was prepared and hand delivered to the inventor's home address on January 7, 2002. A copy of the letter and attachments, including the unsigned Declaration, is herein enclosed as Exhibit B. At that time, the inventor was employed by ADC Telecommunications, Inc. I spoke with the inventor on January 9, 2002 after the inventor received the letter and Declaration. The inventor stated that he would not sign the Declaration.

4. The inventor executed an assignment of all rights in the invention and any reissue application on September 30, 1996. A copy of the assignment, recorded at Reel/Frame 8232/0117, is enclosed as Exhibit C.

5. The inventor is no longer employed by ADC Telecommunications, Inc. The last known address of the inventor is: 15815 Scenic Heights Road, Eden Prairie, Minnesota 55344.

6. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above patent.

Date: 11 July 2002

By:   
Name: Michael K. Ouyang  
Title: Chief Intellectual Property Counsel

**CERTIFICATE OF CORPORATE SECRETARY  
OF  
ADC TELECOMMUNICATIONS, INC.**

I, Jeffrey D. Pflaum, hereby certify that I am the Vice President, Chief Legal Officer and Corporate Secretary of ADC Telecommunications, Inc., a Minnesota corporation (the "Company"), and further certify as follows:

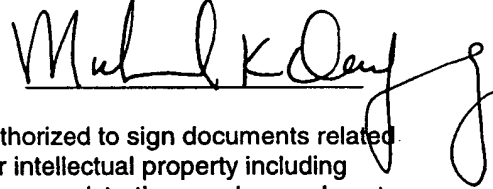
1. The person named below has been duly elected and now holds the office in the Company set forth below and that the signature appearing opposite the name of such officer is authentic and genuine:

**NAME:**

**TITLE:**


**SIGNATURE:**

Michael K. Ouyang      Chief Intellectual Property  
Counsel



2. The Chief Intellectual Property Counsel is authorized to sign documents related to the Company's patents, trademarks, copyrights and other intellectual property including without limitation, all patent and trademark related applications, registrations and amendments or renewals thereof or settlement documents related to disputes with third parties relating to the Company's intellectual property and shall perform such duties as may be prescribed by the Board of Directors, the President or by the Chief Legal Officer.

Dated: February 4th 2002

  
\_\_\_\_\_  
Print Name: Jeffrey D. Pflaum  
Title: Vice President, Chief Legal Officer and  
Corporate Secretary

# Merchant & Gould

An Intellectual Property Law Firm

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sbruess@merchant-gould.com

A Professional Corporation

January 7, 2002

## SENT VIA MESSENGER

Liang-Ju Lu  
15815 Scenic Heights Road  
Eden Prairie, Minnesota 55344

Re: M&G 2316.690-US-RE  
Reissue Application for U.S. Patent No. 5,971,625 in the United States  
DOUBLE FERRULE SC CONNECTOR AND ADAPTER

Dear Lu:

We represent ADC Telecommunications, Inc., in connection with a recently filed reissue patent application entitled "Double Ferrule SC Connector And Adapter" for U.S. Patent No. 5,971,625. New claims 18-22 are being added to the patent as shown in the attached Preliminary Amendment. We understand you are the sole inventor of the new claims.

ADC has asked me to contact you directly to obtain your signature for a Patent Office paper. Please find enclosed a Declaration for signature by you after you have reviewed the original patent and Preliminary Amendment as filed.

Adding new claims 18-22 is considered broadening of the patent. Based on our investigation, it was an error made without deceptive intent to not include claims of this scope in the original patent.

Please call me at (612) 336-4711 or Mike Ouyang at (952) 917-0577 if you have any questions. Please return the signed formal papers to me at your earliest convenience, and preferably no later than January 11, 2002. Call me and we can arrange for pickup of the papers at your home or place of work.



Minneapolis/St. Paul  
Denver  
Seattle  
Atlanta

January 7, 2002  
Page 2

Each inventor has a duty of disclosure to the Patent Office pursuant to Rule 56 (a copy of which is attached) as noted in the Declaration. If you have any prior art information not already delivered to ADC, please send it to me.

Very truly yours,

MERCHANT & GOULD P.C.



Steven C. Bruess

SCB/rf

Enclosures:

United States Patent No. 5,971,625  
Copy of Preliminary Amendment as filed  
Declaration document for signature  
Copy of Rule 56

cc: Richard R. Carlson, ADC Telecommunications, Inc. (without enclosures)  
Michael Ouyang, ADC Telecommunications, Inc. (with enclosures)

TITLE 37--PATENTS, TRADEMARKS,  
AND COPYRIGHTS

CHAPTER I--PATENT AND TRADEMARK OFFICE,  
DEPARTMENT OF COMMERCE

PART 1--RULES OF PRACTICE IN PATENT CASES--Table of Contents

Subpart B--National Processing Provisions

Sec. 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by Secs. 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.



A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.